Judiciary Committee Public Hearing

March 2, 2020

Testimony of

Edward J. Kelleher, Esq. and Erik J. Giles, Esq.,

of Drummond Woodsum,

Testimony on behalf of the Mashantucket Pequot Tribal Nation

regarding

Senate Bill 16 An Act Concerning the Adult Use of Cannabis

Distinguished members of the General Assembly,

On behalf of the Mashantucket Pequot Tribal Nation, we offer the following comments for your consideration. We are not submitting this testimony to advocate for or against Senate Bill 16. Rather, we simply ask that if the legislature decides to move forward with legalizing cannabis, it consider how Indian Tribes may be involved. Specifically, while this Tribe is not currently involved in the cannabis industry, we ask that you include in any bill that legalizes marijuana for adult use, language to enable the State of Connecticut and Tribes to enter into compacts concerning the regulation, production and sale of cannabis by Indian Tribes in Connecticut.

In Washington State, Oregon and Nevada, states and tribes have entered into compacts relating to cannabis production and sales, and these have been successful from both the state and tribal perspective. They’ve created economic opportunities for tribes, and provided new customers for the state’s cannabis businesses, while assuring state regulators that tribal marijuana enterprises operate under the same health and safety standards as state licensed companies. In each of those states, enabling legislation was passed first to permit the negotiation of state-tribal cannabis compacts. Several tribally-owned cannabis facilities are operating in those states now pursuant to compacts, and are operating successfully and safely.
In addition to the public health and safety benefits of a compacting approach, the proposed compacting language could provide that tribal governments would impose a tax on marijuana sales on tribal land that is at least equal to the tax imposed by the State of Connecticut, creating tax parity between state and tribally licensed businesses and providing tribal governments with a needed revenue source.

We believe these compacts will facilitate and promote a cooperative and mutually beneficial relationship between the State and the Tribes, enhance public health and safety, ensure a lawful and well-regulated marijuana market, encourage economic development for both state and tribal businesses, and provide fiscal benefits to all governments. Just as the State has expressed an interest in working with surrounding states regarding marijuana legalization, it would be mutually beneficial for the State and interested Tribes to create a cohesive regulatory structure.

With respect to Senate Bill 16, we ask that you include language to enable agreements that would address cannabis-related issues including the preservation of public health and safety; the security of production, processing, retail, and research facilities; and the ability of state-licensed and tribally licensed marijuana establishments to purchase and sell marijuana and marijuana products to each other.

We look forward to an opportunity to work with the committees of cognizance as you deliberate legalized cannabis policy.